

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

This document relates to:  
*The County of Summit, Ohio, et al. v. Purdue  
Pharma L.P., et al.*  
Case No. 18-op-45090

and

*The County of Cuyahoga v. Purdue Pharma  
L.P., et al.*  
Case No. 1:18-op-45004

MDL No. 2804

Hon. Judge Dan A. Polster

**SUMMARY SHEET FOR  
MOTION OF DISTRIBUTOR DEFENDANTS  
FOR SUMMARY JUDGMENT AS TO CIVIL CONSPIRACY**

The attached motion explains that the discovery record reveals a lack of any genuine dispute of material fact with respect to Plaintiffs' claims for civil conspiracy (Count 11) against the Distributor Defendants. There is an absence of evidence showing that distributors agreed—even tacitly—with anyone to achieve any unlawful objective.

More specifically, the motion argues that there is no evidence that (1) distributors conspired with manufacturers of opioid drugs to further any false-marketing campaign, as alleged by Plaintiffs; or (2) distributors conspired with one another not to report suspicious orders received from customers. The motion also argues that no conspiracy claim may be based on efforts to influence the government, because that activity is protected by the First Amendment

(and, in the case of alleged lobbying to increase DEA production quotas for opioids, there is no evidence distributors engaged in this conduct).